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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedom

Protection of and assistance to internally displaced persons

Note by Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, in accordance with General Assembly resolution 64/142 and Human Rights Council resolution 14/6.

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Summary

The report outlines the major activities undertaken by the mandate holder during the period of August 2010 to July 2011. In addition, it provides a thematic review of the issue of climate change and internal displacement.

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I. Introduction

1. The present report provides an overview of the main activities undertaken by the mandate holder during the period from August 2010 to July 2011. It covers the activities of the Special Rapporteur on the human rights of internally displaced persons, who assumed his functions in November 2010, and the activities of the Representative of the Secretary-General on the human rights of internally displaced persons, Walter Kälin, whose mandate ended in October 2010.

2. The report also contains a thematic section on climate change and internal displacement. It is presented in accordance with General Assembly resolution 62/153 and Human Rights Council resolution 14/6.

II. Mandate and activities of the Special Rapporteur

A. The mandate of the Special Rapporteur

3. By its resolution 14/6, the Human Rights Council mandated the Special Rapporteur to address the complex problem of internal displacement, in particular by mainstreaming the human rights of internally displaced persons into all relevant parts of the United Nations system; and to work towards strengthening the international response through coordinated international advocacy and action for improving protection and respect of the human rights of the internally displaced.

4. In accordance with his mandate, the Special Rapporteur has endeavoured to promote a rights-based approach to internal displacement through dialogue with Governments and mainstreaming and advocacy activities within the United Nations and regional organizations. He would like to express his appreciation to the Governments that have issued invitations or otherwise engaged with the mandate.

B. Country engagement

5. The Special Rapporteur carried out a mission to Maldives from 16 to 22 July 2011 to assess the current situation of persons displaced by the 2004 tsunami, as well as issues relating to potential internal displacement owing to natural disasters and climate change. The Special Rapporteur found that the effects of climate change, such as coastal erosion, salination, rising sea levels and more frequent storms and flooding, were being felt in many islands and affecting human rights such as the right to housing, safe water and livelihoods.

6. The Special Rapporteur stressed the need to put in place preparedness measures for potential climate change-induced displacement, founded on a human rights-based approach. While commending the efforts of the Maldives authorities for having recently endorsed the strategic national action plan for disaster risk reduction and climate change adaptation, he noted that it was now essential to put in place a law on disaster risk reduction and properly resourced institutional support structures which would ensure implementation of the strategy and address internal displacement.

7. With regard to the situation of the 2004 tsunami victims, the Special Rapporteur found that while much had been achieved in addressing their situation,

1,600 people were still living in difficult conditions in temporary shelters on several islands and required urgent attention. The report on his visit will be presented to the Human Rights Council in March 2012, and will serve to complement the thematic section of the present report, on internal displacement and climate change, by highlighting the particular situation of low-lying island States.

8. During the reporting period, the Representative of the Secretary-General on the human rights of internally displaced persons, Walter Kälin, visited the following countries: Georgia (13-16 September 2010; see A/HRC/16/43/Add.3); Armenia (17 and 18 September 2010); Iraq (26 September-3 October 2010; see A/HRC/16/43/Add.1); and Haiti (11-16 October 2010).

9. Since assuming his mandate, the Special Rapporteur has made visit requests to the following countries: Côte d'Ivoire, Colombia, Pakistan, Papua New Guinea, the Philippines, Kenya and the Sudan. He has received positive replies from the Sudan and Kenya, and is planning to visit Kenya in September 2011.

C. Cooperation with regional and international organizations

10. The Special Rapporteur has actively engaged with key regional and international organizations during the reporting period. Among others, he has continued constructive engagement with the World Bank, and more particularly its conflict, crime and violence unit, and the International Committee of the Red Cross, with whom he discussed operational approaches to the protection of internally displaced persons, future areas of cooperation and the continuation of the annual open dialogue session on issues of mutual concern.

11. The Special Rapporteur has engaged closely with regional organizations in Africa for the promotion, ratification and implementation at the national level of the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons (Kampala Convention), the first legally binding regional instrument specifically on the protection of and assistance to internally displaced persons. In that context, he participated in, inter alia, the first ministerial conference of the Economic Community of West African States on humanitarian assistance and internal displacement in West Africa, held in Abuja on 6 and 7 July 2011; a workshop on the Kampala Convention for Members of the Kenyan Parliament Select Committee on Internally Displaced Persons on 23 May 2011, in Mombasa, Kenya; the regional consultative meeting on the plan of action for the Kampala Convention for the Eastern and Central Africa region, held in Kinshasa on 20 and 21 May 2011; and the regional consultative meeting on the plan of action for the Kampala Convention for the Southern African Development Community (SADC), held in Lilongwe on 17 and March 2011.

12. The Special Rapporteur has maintained ongoing contacts with civil society organizations in Geneva and New York and in the field. In particular, he wishes to express his appreciation for the support provided to his mandate through the Brookings-London School of Economics Project on Internal Displacement. He is also appreciative of the strong cooperation with the Internal Displacement Monitoring Centre on various issues of mutual interest, including training and advocacy activities relating to the Kampala Convention.

13. The Special Rapporteur, the Brookings-London School of Economics Project on Internal Displacement, the International Institute of Humanitarian Law, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) co-organized the seventh annual course on the law of internal displacement in San Remo, Italy, from 7 to 12 June 2011. The course provides training to high-level Government officials working on internal displacement from different parts of the world. In 2011, it welcomed 21 participants from 14 displacement-affected countries.

14. The Special Rapporteur also participated in the regional workshop on protecting and promoting rights in natural disasters in the Great Lakes region and East Africa and the forum on the Kampala Convention organized by the Brookings-London School of Economics Project on Internal Displacement and the Office for the Coordination of Humanitarian Affairs of the Secretariat and held in Kampala from 15 to 17 June 2011.

15. In addition, the Special Rapporteur participated in various other international forums and events, including, in the context of this thematic report, the Expert Roundtable on Climate Change and Displacement held in Bellagio, Italy from 22 to 25 February 2011,, and the Nansen Conference on Climate Change and Displacement in the 21st Century, held in Oslo on 6 and 7 June 2011.

D. Mainstreaming the human rights of internally displaced persons in the United Nations system

16. During the reporting period, the Special Rapporteur participated in the Inter-Agency Standing Committee, the key platform for the Special Rapporteur to mainstream the human rights of internally displaced persons within the United Nations system and the wider humanitarian community.

17. The Special Rapporteur has maintained close cooperation with key United Nations entities, including OHCHR, UNHCR and the Office for the Coordination of Humanitarian. He engaged with these entities through briefings and meetings in New York and Geneva to discuss specific issues relating to the protection of internally displaced persons, and areas of cooperation. The Special Rapporteur also participated in a number of key events and activities organized by these entities, such as training sessions, events related to the promotion of the Kampala Convention, an expert round table on climate change and displacement and various human rights events organized by OHCHR. In addition to providing overall substantive and logistical support to the activities of the Special Rapporteur, OHCHR facilitates coordination with the United Nations system. The Special Rapporteur wishes to express his special appreciation for the support these entities have continued to provide to him in fulfilling his mandate.

III. Thematic section: climate change and internal displacement

A. Introduction

18. According to United Nations estimates, up to 50 million people are internally displaced because of natural disasters each year.[1] In 2010 alone, at least 42.3 million people were newly displaced by sudden-onset natural disasters, 90 per cent of which were due to climate-related.[2]

19. The importance of displacement, and in particular internal displacement, within the climate change debate is well established and now calls for specific strategies and measures to address it. Already in 1990, the Intergovernmental Panel on Climate Change reported that the greatest single impact of climate change might be on human migration.[3] The Panel estimated that by 2050, 150 million people could be displaced by climate change-related phenomena, such as desertification, increasing water scarcity, floods and storms. Since then, while estimates have varied, it has generally been accepted that the effects of climate change will indeed result in large-scale movements of people, mostly within the boundaries of affected States, and that developing States in the southern hemisphere are likely to be the worst affected.

20. The socio-economic impact of climate change is expected to have significant consequences for the enjoyment of human rights, for the implementation of the Millennium Development Goals and for human security (A/HRC/10/61) In this context, internal displacement represents a further challenge of adaptation to the effects of climate change. In its resolution 64/162 of 18 December 2009, the General Assembly recognized natural disasters as a cause of internal displacement and voiced concern about factors, such as climate change, that were expected to exacerbate the impact of natural hazards, and climate-related slow-onset events.

21. The importance of addressing displacement caused by climate change was more recently recognized by the Conference of the Parties to the United Nations Framework Convention on Climate Change. At its sixteenth session, held in Cancun, Mexico from 29 November to 10 December 2010, the Conference of the Parties adopted the "Cancun Adaptation Framework",[4] which expressly acknowledges climate-induced displacement.

22. The Conference of the Parties invited all parties to enhance action on adaptation under the Cancun Adaptation Framework, taking into account their common but differentiated responsibilities and respective capabilities, and specific national and regional development priorities, objectives and circumstances, by undertaking, inter alia, measures to enhance understanding, coordination and cooperation with regard to climate change-induced displacement, migration and

[1] See www.unocha.org/what-we-do/advocacy/thematic-campaigns/internal-displacement/overview.

[2] Internal Displacement Monitoring Centre, "Displacement due to natural hazard-induced disasters: global estimates for 2009 and 2010", June 2011, p. 11.

[3] First Assessment report, available from www.ipcc.ch.

[4] FCCC/CP/2010/7/Add.1, decision 1/CP.16.

planned relocation, where appropriate, at national, regional and international levels.[5]

23. The present report aims to explore the linkages between climate change and internal displacement from a human rights perspective. It draws on the 1998 Guiding Principles on Internal Displacement,[6] the core international human rights instruments and the principal climate change frameworks proposed to date. While not exhaustive, it highlights some key principles and concepts necessary to inform the discussion, sheds light on the complexities surrounding the issue and makes a number of recommendations which could serve to orient future work in this area.

24. The scope of the report is limited to internal displacement, in keeping with the parameters of the Special Rapporteur's mandate. Moreover, owing to the close linkages between climate change and the increased frequency and severity of natural disasters, combined with the inherent difficulty of distinguishing between natural disasters provoked by climate change and those unrelated to this phenomenon, the report takes an inclusive approach to the issue. Owing to space limitations, the specific situation of low-lying island States is not addressed, but will be the focus of attention in the Special Rapporteur's report to the Human Rights Council in March 2012 on his visit to Maldives in July 2011.

B. Some basic concepts and terminology

25. The present section provides definitions of key concepts and terminology used in the climate change debate. The Intergovernmental Panel on Climate Change defines climate change as "any change in the climate over time, whether due to natural variability or [...] human activity".[7] The United Nations Framework Convention on Climate Change, however, specifically focuses on changes in the climate which are "attributed directly or indirectly to human activity" and are "in addition to natural climate variability".[8]

26. Two principal strategies to respond to the threats posed by climate change are mitigation and adaptation. Mitigation, in the context of climate change policy, refers to measures which aim to minimize the extent of global warming by reducing emission levels and stabilizing greenhouse gas concentrations in the atmosphere.[9] Climate change adaptation measures are adjustments in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderate harm or exploit beneficial opportunities.[10] Alternatively stated, they are measures that reduce harm and strengthen the capacity of societies and ecosystems to cope with and adapt to climate change risks and impacts. This report explores, in particular, possible adaptation measures specific to climate change-induced displacement.

27. References to resilience in this context relate to "the ability of a system, community or society exposed to hazards to resist, absorb, accommodate and

[5] Ibid., para. 14.

[6] E/CN.4/1998/53/Add.2, annex. Available at www2.ohchr.org/english/issues/idp/standards.htm.

[7] *Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change*, Summary for Policymakers, p. 21. Available from www.ipcc.ch.

[8] United Nations, *Treaty Series*, vol. 1771, No. 30822, art. 1, para. 2.

[9] Adapted from United Nations Framework Convention on Climate Change, Glossary of climate change acronyms (http://unfccc.int/essential_background/glossary/items/3666.php).

[10] Ibid.

recover from the effects of a hazard in a timely and efficient manner".[11] Definitions of other terms are provided in subsequent sections of the report.

C. The larger picture

28. While the effects of climate change are themselves expected to result in displacement, this factor should not be considered in isolation from broader global, regional and national dynamics. As highlighted at an expert workshop organized by UNHCR in 2011, the impact of climate change will interact with a number of global mega-trends such as population growth, rapid urbanization, increased human mobility and food, water and energy insecurity,[12] as well as local and regional factors (pre-existing socio-economic and governance situations), which will potentially affect the magnitude and patterns of displacement as well as possible solutions.

29. Climate change is arguably already acting as "an impact multiplier and accelerator".[13] In addition to its negative impact on social and economic rights, which will itself provoke some displacement, climate change, interacting with other pressures or social and political factors, will exacerbate the risk of conflicts, which could then act as a driver of further displacement. Climate-related displacement is therefore likely to be characterized by multiple causalities, such as conflicts due to competition over resources or the loss of livelihoods. This was more recently highlighted during the Security Council debate of 20 July 2011 on the possible security implications of climate change, in which it was noted that climate change could aggravate or amplify existing security concerns and give rise to new ones, particularly in already fragile and vulnerable nations. It could also sharply intensify human displacement, bringing communities into increasing competition for finite natural resources with global repercussions for global economic stability.[14]

30. A distinction should be drawn between sudden-onset and slow-onset events since they affect human mobility in different ways. Slow-onset disasters tend to prompt movements of people to other locations in search of livelihoods, food security and safety — a trend already being manifested in different parts of the world. In this context, regional particularities around displacement patterns and their various causes will be important to monitor and understand. This is particularly the case in Africa and Asia, as climate change is expected to have especially dire effects on developing countries, and the most vulnerable populations within them. At the time of writing of this report, an estimated 12 million people in the Horn of Africa required immediate humanitarian assistance owing to drought and food insecurity affecting, inter alia, Somalia, Kenya, Ethiopia, Uganda and Djibouti.[15] In Somalia, successive drought-induced crop failures, spiralling food prices and lack of food

[11] UNISDR (Secretariat of the International Strategy for Disaster Reduction), *Terminology on Disaster Risk Reduction*, Geneva, 2009, p. 10.

[12] UNHCR, Summary of deliberations on climate change and displacement, resulting from the expert round table on climate change and displacement held in Bellagio, Italy, from 22 to 25 February 2011, p. 2.

[13] Ibid.

[14] Press release SC/10332 (www.un.org/News/Press/docs//2011/sc10332.doc.htm). See also the related Security Council debate on 17 April 2007 (SC/9000); and A/HCR/10/61, paras. 61-63.

[15] Food and Agriculture Organization of the United Nations (FAO), media report of 20 July 2011 (www.fao.org/news/story/en/item/82387/icode/).

assistance, combined with conflict, insecurity and limited access by humanitarian organizations, have resulted in one of the worst famines in decades, placing 3.7 million people in need of urgent assistance and causing large-scale displacements.[16]

31. In order to address these intersecting challenges and develop adaptation strategies to deal with complex climate change-related displacement, a broader and more holistic understanding is required which goes beyond the direct line of causality usually applied in situations of sudden-onset natural disasters.

D. Potential consequences of climate change for displacement patterns

32. Population displacements are likely to result from or be exacerbated by a number of different changes in our physical climate and environment, including:

(a) Increased droughts, environmental degradation and slow-onset disasters such as desertification which undermine agricultural livelihoods and reduce food security;

(b) Higher temperatures in water and air, and increasing acidity of seas;

(c) Contraction of snow-covered areas and melting of sea ice, leading among other things, to rising sea levels affecting the habitability of coastal areas and low-lying island States;

(d) Increased frequency and intensity of weather-related natural hazards such as tropical cyclones, hurricanes, mudslides and flooding, which will threaten the physical safety of affected populations;

(e) Conflict and social upheaval, directly or indirectly attributable to climate change-related factors, such as competition for scarcer natural resources, changing livelihood patterns, increased social tensions and possible concentration of vulnerable populations, including in poor urban areas.

33. The above changes in our environment and climate are predicted to increase displacement and to alter its patterns, as people move to locations, predominantly within their own countries, which offer them greater human security and livelihoods. In some instances, for example when planned relocation is unsuccessful or when the spontaneously displaced congregate in urban centres already under pressure, secondary displacements may ensue. Indeed, secondary or cyclical displacements may become a by-product of ineffective adaptation strategies to address original displacement situations, as well as a consequence of the failure to sufficiently plan ahead in areas such as food security, urban planning or resource management — all of which may be put under additional pressure by the effects of climate change.

[16] Office for the Coordination of Humanitarian Affairs, Famine and drought situation report No. 6, 3 August 2011, p. 2, at http://reliefweb.int/sites/reliefweb.int/files/resources/OCHA%20Somalia%20Situation%20Report%20No.%206%2003%20August%202011.pdf.

E. The need for a rights-based approach

34. In the last several years, the climate change debate, traditionally centred on scientific and economic factors, has gradually begun to encompass the social and human rights dimensions. This has led to a growing body of studies and reports exploring the multidisciplinary and human rights facets of the challenges posed by the effects of climate change.[17]

35. In 2008, the Human Rights Council, in its resolution 7/23, requested OHCHR to undertake a study, in consultation with States and other key stakeholders, on the relationship between climate change and human rights. The study (A/HRC/10/61) provides an overview of the effects of climate change for human rights, including its impact on specific rights, vulnerable groups of persons, forced displacement and conflict, and examines the human rights implications of response measures to climate change. Importantly, it outlines relevant national and international obligations under international human rights law, including those relating to the progressive realization of economic, social and cultural rights and access to information and participation in decision-making. The study concludes that measures to address climate change should be informed and strengthened by international human rights standards and principles.

36. Other actors have also enriched the discussion by focusing on specific rights or the impact of climate change on particular groups.[18] In addition to posing a direct threat to the right to life, the effects of climate change are expected to have negative implications for basic rights relating to food (A/HRC/7/5), housing (A/64/255), water and health, and affect the overall right to an adequate standard of living (A/HRC/10/61, paras. 21-38). Some of these analyses have highlighted the link between the lack of access to these rights and displacement.[19] In the context of climate change, internally displaced persons are also a growing category of persons considered to be especially at risk, given the adverse material, social and psychological consequences commonly associated with displacement. These risks are heightened by the fact that the most serious effects of climate change, including displacement, are predicted to disproportionately affect poor regions and countries and populations already in a vulnerable situation owing to poverty and other factors.[20]

37. Measures to address these vulnerabilities and meet the challenges related to climate change-induced displacement should be informed and supported by a human rights-based approach which is applied at all phases of displacement and disaster response. The Nansen principles, developed at the Nansen Conference on Climate Change and Displacement (see para. 15 above), underscored the need for such an approach. Principle I states that "responses to climate and environmentally-related displacement need to be informed by adequate knowledge and guided by the

[17] See, for example, International Council on Human Rights Policy, *Climate Change and Human Rights: A Rough Guide*, 2008; and The World Bank, *Human Rights and Climate Change: A Review of the International Legal Dimensions*, Washington, D.C., 2011.

[18] See A/HRC/SF/2010/2, paras. 11, 14 and 18-20, and A/HRC/10/61, paras. 42-60, which analyse the impact of the effects of climate change on women, children, indigenous peoples and internally displaced persons.

[19] For example, A/HRC/7/5, A/64/255, A/HRC/10/61 and A/HRC/13/21, paras. 43 and 44.

[20] See A/HRC/10/61, paras. 42-54; A/HRC/16/62, para. 48; and UNFCCC/CP/2010/7/Add.1, preamble.

fundamental principles of humanity, human dignity, human rights and international cooperation".[21]

F. The relevance of the human rights framework for internally displaced persons

A global framework

38. A broad human rights protection framework for internally displaced persons has been developed in the last two decades, which applies explicitly to situations of natural disasters, and extends to persons displaced by the effects of climate change (see A/HRC/13/21, paras. 2 and 41-44).

39. Holding a central place in this framework are the Guiding Principles on Internal Displacement (see note 6 above), which are based on standards in international human rights and humanitarian law and, by analogy, international refugee law. While not legally binding as such, the Guiding Principles restate relevant hard law and have been affirmed by the international community as "an important international framework for the protection of internally displaced persons".[22] They have served as an important normative standard for the protection of persons displaced in a variety of contexts including conflict, serious human rights violations, natural disasters, and development projects.

40. The Guiding Principles define internally displaced person as "persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflicts, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border".

41. The Guiding Principles have also served as a basis for developing further operational guidance, such as the revised Operational Guidelines on the Protection of Persons in Situations of Natural Disasters (A/HRC/16/43/Add.5) and the Framework on Durable Solutions for Internally Displaced Persons (A/HRC/13/21/Add.4), both adopted by the Inter-Agency Standing Committee. The former, in particular, represent progress in the application of a human rights-based approach to situations of natural disasters — situations closely related to climate change given the increased frequency of climate-related disasters.[23] In addition to applying in different contexts, the Guiding Principles provide specific standards of assistance and protection at all stages of displacement, including in the prevention of displacement, during the displacement phase itself and in the search for durable solutions.

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[21] For information on the Nansen Conference and the principles, see http://www.regjeringen.no/en/dep/ud/Whats-new/news/transcript-of-the-prime-ministers-speech/nansen_principles.html?id=651568.

[22] The 2005 World Summit Outcome (see General Assembly resolution 60/1), para. 132. See also resolution 64/162, preamble and para. 10.

[23] By 2008 it was noted that the number of disasters had doubled in the preceding 20 years, while in 2010 it was estimated that 90 per cent of disasters were climate-related. See United Nations News Centre, "Time to prepare for disasters is now says UN", at www.un.org/apps/news/story.asp?NewsID=29154&Cr=Disaster&Cr1=Climate#, and Internal Displacement Monitoring Centre, note 2 above.

Regional frameworks

42. The Guiding Principles have further paved the way for a new regional treaty, the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). Adopted in 2009, the Convention is the first legally binding instrument specifically on the protection of internally displaced persons.[24] Article 5(4) specifically requires that measures be taken to protect and assist people who have been internally displaced by natural or human-made disasters, including those triggered by climate change. Moreover, as stated in article 2 (a), it is a particular objective of the Convention to prevent, mitigate, prohibit and eliminate the root causes of internal displacement. This requirement of prevention and mitigation is further detailed in article 4(2), which obligates parties to develop an early warning system in areas of potential displacement, disaster risk reduction strategies and emergency management measures, in addition to providing protection and assistance if necessary.

43. Other regional instruments, such as the Protocol on Protection and Assistance to Internally Displaced Persons,[25] which implements the Guiding Principles, and the 2005 Agreement on Disaster Management and Emergency Response of the Association of South East Asian Nations, provide further legal and policy frameworks to address displacement, including climate change-induced displacement, at the regional level. They could also potentially provide the basis for regional operational mechanisms for the coordination of humanitarian assistance, displacement-related adaptation schemes and the channelling of climate change adaptation funding.[26]

National frameworks

44. At the national level, the Guiding Principles are being increasingly used by many countries to develop their domestic laws and policies (see A/HRC/13/21, para. 15, and General Assembly resolution 64/162, paras. 10 and 13). The Nansen Principles (see para. 37 above) recognize the importance of the Guiding Principles in addressing climate change-induced internal displacement at the national level. Principle VIII states: "The Guiding Principles on Internal Displacement provide a sound legal framework to address protection concerns arising from climate and other environmentally-related internal displacement. States are encouraged to ensure the adequate implementation and operationalization of these principles through national legislation, policies and institutions."

45. In the context of climate change-induced internal displacement and the increased frequency of related natural disasters, it is now more important than ever that national legislation fully include provisions for these situations, and not just for situations of conflict-related displacement. In this regard, the Cancun Adaptation Framework specifically urges all parties to the United Nations Framework Convention on Climate Change to "strengthen and, where necessary, establish and/or designate national-level institutional arrangements, with a view to enhancing work on the full range of adaptation actions [including displacement-related

[24] The Kampala Convention will become binding upon ratification by 15 signatory States. As of 2 August 2011, a total of 12 countries had ratified the Convention.

[25] Article 12 of the Pact on Security, Stability and Development in the Great Lakes Region.

[26] UNHCR, note 12 above, p. 6.

adaptation measures], from planning to implementation" (FCCC/CP/2010/7/Add.1, decision 1/CP.16, para. 32).

G. Addressing internal displacement in the context of climate change

46. The present section focuses on adaptation strategies which relate to disaster management, prevention and durable solutions, rather than humanitarian assistance during the displacement phase itself. Effective responses to the human rights challenges related to climate change-induced internal displacement will require the international community to move beyond the traditional humanitarian assistance and reactive governance models. As suggested by principles IV and V of the Nansen principles, addressing internal displacement in the context of climate change is likely to demand greater focus on foresight, reliable data and monitoring systems, as well as the positive obligations of prevention, resilience building and durable solutions.

Disaster risk reduction and disaster preparedness

47. Disaster risk reduction is defined as "the conceptual framework of elements considered with the possibility to minimize vulnerabilities and disaster risks throughout society, to avoid (prevention) or to limit (mitigation and preparedness) the adverse impacts of hazards, within the broad context of sustainable development".[27] Stated differently, disaster risk reduction seeks to address the underlying risk factors in order to reduce avoidable loss of life, as well as loss of property and livelihoods — many of which affect internally displaced persons directly. With this aim in mind, the World Conference on Disaster Reduction, held in Hyogo, Japan from 18 to 22 January 2005, adopted a 10-year plan[28] which was signed by 168 States Members of the United Nations.

48. In the face of the increased frequency and intensity of natural hazards, governments have a responsibility to take reasonable preventive action to reduce exposure, minimize vulnerabilities and avoid or limit the adverse impact of hazards[29]. As highlighted by the General Assembly in its resolution 64/142, the consequences of hazards can be prevented or substantially mitigated by disaster risk reduction strategies, which, it suggested, should be integrated into national development policies and programmes. Strategies may include physical infrastructures, but also measures to build national and local humanitarian response and disaster management systems, establish participation mechanisms and strengthen the resilience of affected persons and early recovery capacities.

49. Early warning mechanisms can be instrumental in minimizing damage and loss of life, as well as displacement. However, preliminary analysis of the famine and resulting displacements in Somalia in July and August 2011 shows that while a

[27] UNISDR, "Living with risk: a global review of disaster reduction initiatives", 2004, p. 17.

[28] Hyogo Framework for Action 2005-2015: Building the Resilience of Nations and Communities to Disasters (A/CONF.206/6 and Corr.1, chap. I, resolution 2).

[29] A/HRC/10/61, paras. 72-74; General Assembly resolution 64/162, preamble; see also discussion of obligations of States to reduce vulnerabilities and disaster risks, including interpretations by the European Court of Human Rights, in "Conceptualising climate-induced displacement", by Walter Kälin, in J. McAdam (ed), *Climate Change and Displacement: Multidisciplinary Perspectives*, Oxford, 2010, pp. 82 and 83.

disaster was forecast as early as November 2010 by the Famine Early Warning Systems Network, the famine was not declared until July 2011, and response by donors to funding appeals by the United Nations was insufficient.[30] While insecurity and lack of humanitarian access exacerbate the difficulties in the case of Somalia, this most recent situation, as well as the drought affecting neighbouring countries, have revealed systemic difficulties on the part of both States and the international community in responding proactively to early warnings in order to prevent disasters or limit the adverse impacts on populations, even in the case of slow-onset disasters such as famine. This indicates that technical mechanisms such as early warning systems need to be combined with political will and responsive governance systems that implement preparedness, disaster risk reduction and other adaptation measures in a timely.

50. In addition to early warning systems, legal preparedness measures, such as national legislation and policies, and other measures to protect the human rights of internally displaced persons can be put in place before disaster strikes in order to limit the negative impact of potential displacement. They can include measures to preserve and restore family unity (e.g. during evacuations), which is a key factor contributing to protection, and to ensure the replacement of personal documentation through rapid and simplified procedures. They can also include measures to protect housing, land and property rights through the registration and safekeeping of land titles; mechanisms to resolve property disputes following a disaster; and precautions to ensure that disaster relief interventions are conducted in such a way as to avoid discrimination (for example on the basis of gender, age or ethnicity).[31]

Preventing and minimizing internal displacement, and its adverse effects

51. According to the Guiding Principles, displacement must remain an option of last resort. It must only be exercised when there are no other alternatives, and be undertaken for legitimate purposes with sufficient legal and procedural guarantees.[32]

52. Guiding Principle 7(1) provides that "prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether" and that " where no alternatives exist, all measures shall be taken to minimize displacement and its adverse effects". Adaptation strategies related to potential displacement should, therefore, also include investments and measures to avoid and minimize such displacements, where that is feasible.

[30] *The Economist*, 30 July-5 August 2011, p. 32; Office for the Coordination of Humanitarian Affairs, Famine and drought situation report No. 6, 3 August 2011, p. 4.

[31] Walter Kälin, "A human rights-based approach to resilience building", presented at Nansen Conference on Climate Change and Displacement, in the 21st Century, Oslo, 5-7 June, 2011, p. 2. Available at www.brookings.edu/papers/2011/0606_disasters_human_rights_kaelin.

[32] Guiding Principles 6 and 7. Also see Walter Kälin, *Guiding Principles on Internal Displacement: Annotations*, revised edition, pp. 27 and 30; and American Society of International Law, *Studies in Transnational Legal Policy*, No. 38 (2008). Note that the term protection against displacement refers to protection against arbitrary displacement (i.e., an order or forced displacement by authorities) and that prevention of displacement refers to measures which seek to alleviate the need for populations to move — and never to prevent the act of fleeing or moving by those displaced.

53. Much of the attention to date in the area of protection from displacement has focused on protecting individuals or communities from "arbitrary" displacement (Guiding Principle 6), resulting from active violations of human rights by the State or other actors, such as when displacement is used as a form of collective punishment or to effect policies of ethnic cleansing, or when large-scale development projects fail to meet set requirements.

54. Some climate change-induced displacement however, such as movements triggered by slow-onset disasters, may require more emphasis on the positive obligations of States, with the support of regional bodies and the international community, to anticipate, plan ahead and take measures to prevent or mitigate conditions likely to bring about displacement and threaten human rights. This precautionary role to ensure conditions conducive to human rights, including rights related to an adequate standard of living which allow one to avoid displacement, is a standard of governmental, international governance and human rights protection which is based on positive obligations and actions, rather than the negative obligation of non-interference in human rights.

55. To discharge its obligations, responsible governance will need to develop capacities to detect potential disaster and displacement situations early on, accountability mechanisms to ensure that follow-up prevention and protection measures are taken, and more effective systems of local and regional consultation which engage affected populations in decisions about their future. In particular, addressing potential displacement in cases of slow-onset disasters may demand that, in addition to environmental adaptation measures to minimize degradation (e.g. soil erosion), measures be taken to address a wide range of social issues at the local level. These can include pre-emptive measures such as economic diversification, the development of alternative forms of livelihoods, addressing issues related to the management of natural resources and putting in place appropriate social safety nets for the most vulnerable sectors of the population.

56. The Special Rapporteur on the right to food for example, has analysed the adverse impact of extreme climate changes on livelihoods and food security.[33] The impact of climate change on agricultural production in developing countries in particular, which has been well documented, will result in volatile markets and threaten the right to food for millions of people. It may be necessary to address and re-evaluate methods of agricultural production,[34] in addition to addressing humanitarian assistance needs. Research and decisions made with regard to agricultural approaches and other measures to ensure food security and resource management will profoundly affect displacement patterns.

57. When preventive measures have not been taken or are not feasible, displacement and pre-emptive movements by populations, which are rational adaptation responses,[35] are likely to take place. Anticipating these movements, and

[33] See A/HRC/7/5, para. 51, and A/HRC/7/5/Add.2, paras. 11 and 15. See also Committee on Economic, Social and Cultural Rights general comment No. 12 (1999) on the right to adequate food (art. 11), para. 28; and A/HRC/10/61, paras. 25-27.

[34] News release, "Cancun climate Summit: UN food expert calls for a 'Green Marshall Plan for Agriculture'", 29 November 2010.

[35] See International Organization for Migration, *Policy Brief on Migration, Climate Change and Environment* (2009), available at www.iom.int/envig.

ensuring data collection and monitoring in such situations are important[36] in order to be able to plan for and minimize the negative consequences, including loss of life or property, and the risk of provoking instability in host areas.

58. In the case of internal displacement caused by sudden-onset disasters, disaster risk reduction and measures to build resilience are key elements to preventing displacement or limiting its consequences. It is also important to ensure that early recovery and reconstruction are undertaken at the earliest possible opportunity so that displacement does not last longer than required. However, this has represented a key and systemic challenge to date, which humanitarian and development actors, as well as States, must address in their displacement-related adaptation strategies.

59. The Cancun Adaptation Framework recognizes the need to strengthen international cooperation and national capacities and expertise, with a view to developing approaches which can reduce loss and damage associated with the effects of climate change, in cases of both sudden disasters and slow-onset events.[37]

60. Importantly, the Framework specifically mentions activities related to risk reduction, resilience building, micro-insurance, risk sharing and economic diversification, as well as the need to address rehabilitation measures associated with slow-onset events.[38]

Relocations

61. It may at times be necessary to relocate people from high-risk or disaster-prone areas or in response to a slow-onset disaster which has made life unsustainable in a particular area.[39] Where displacement takes place outside of an emergency situation, such as in the case of pre-emptive relocations by the Government, safeguards are necessary to ensure that individual rights are respected.

62. Guiding Principle 7(3) provides for a number of such procedural guarantees, in addition to the requirements in Guiding Principle 7(1) mentioned in paragraph 52 above. A specific decision by an appropriate State authority is required; full information must be provided to internally displaced persons on the reasons and procedures for the displacement, the place of relocation and compensation; and their free and informed consent must be sought. Moreover, authorities must endeavour to involve affected persons, including women, in the management and planning of the relocation and ensure that the right to an effective remedy, including the review of decisions, is respected.

63. Plans to relocate individuals or communities need to ensure effective participation by the affected population in all decisions, including with regard to the new relocation site and the timing and modalities of the relocation. Key and often difficult issues in relocations frequently include access to land, livelihood opportunities and compensation for the displaced. Relocation plans need to be sensitive to other factors as well, such as issues of community, ethnic and cultural identity and possible (often pre-existing) incompatibilities or tensions with the receiving community. Measures which are sensitive to the needs and concerns of the

[36] UNHCR, note 12 above, para. 39.

[37] FCCC/CP/2010/7/Add.1, decision 1/CP.16, paras. 25 and 26.

[38] Ibid., paras. 28 (b) and (c).

[39] Planned relocations are distinguishable from evacuations or spontaneous displacements, which occur in an emergency context.

receiving community, including with regard to absorption capacity (additional pressures placed on natural and other resources, community services, etc.), and which promote integration, and mediation where necessary, will often be necessary. These require working with all parties in order to foster trust and provide the necessary support for the relocation to both the displaced and the receiving communities.

64. While sometimes necessary, the relocation of communities should always remain a measure of last resort. Relocation plans and sites often present a number of problems which tend to make them unsuccessful. Concerns relating to compensation and the loss of housing and livelihoods, for example, may result in resistance by communities to relocation plans until a tragedy or disaster strikes. In other situations, the problem is the distance between the original and the new site. Not recognising the importance of location can sometimes result in displaced persons returning to the original high-risk area.[40] This is often the experience with informal settlements in urban settings for example. People frequently return to such settlements because of the high value they place on being close to the city centre, to their source of livelihood and to the community and social networks they have established, which are a critical source of support, especially for vulnerable groups.[41]

65. In low-lying island States, long-standing inhabitants of particular islands also often manifest the wish to move as a group and to stay close to their original location, even if they must move to a different island.[42] Principles applicable to relocations in other contexts, such as development-linked evictions, can provide valuable guidance for the formulation of standards and procedures for relocations necessitated by the effects of climate change (see A/HRC/4/18).

The urban migration dimension

66. The erosion of livelihoods, in part provoked by climate change, is considered a key push factor for the increase in rural-to-urban migration, most of which will be to urban slums and informal settlements offering precarious living conditions (A/HRC/10/61, para. 37). More than 50 per cent of the world's population currently live in urban areas, most of which are situated in low- and middle-income nations. One third of this urban population (1 billion people) live in precarious informal settlements and slums, which exacerbates their vulnerability to humanitarian crisis.[43] By 2030, it is estimated that urban populations will surpass 5 billion and that 80 per cent of urban populations will live in towns and cities in the developing world.[44] In Asia and Africa, experts note that "urban growth is accentuated by the increasing number of refugees and internally displaced persons who tend to migrate to cities".[45]

67. The urban dimensions of climate change-induced displacement should therefore factor as a key consideration in national medium- and long-term national

[40] Report of the Wilton Park conference on "Urban risks: moving from humanitarian responses to disaster prevention", 22-25 November 2010.

[41] Ibid.

[42] This was observed during the visit of the Special Rapporteur to Maldives in July 2011.

[43] Report of the Wilton Park conference, note 40 above, p. 1.

[44] Ibid.

[45] Ibid.

development strategies, as well as adaptation measures to address potential displacement. Cities may need to become more "expandable" to absorb potential influxes of people. At the same time, in order to decrease unplanned urban migratory flows, potential displacement situations need to be better managed.

68. Unplanned influxes to urban settings present a number of potential risks. Because internally displaced persons are more likely to be "untitled", "unregistered", "unlisted" and "undocumented", inequalities which existed prior to a disaster may be reinforced after the disaster.[46] As newcomers, internally displaced persons are likely to have less access to resources and livelihoods, to live in slum areas, and to be the potential targets of urban violence in these sites. Like other impoverished slum-dwellers they may be forced to live in hazard-prone locations such as low-lying areas and landfill sites,[47] exposing them to risks to their physical safety and the risk of loss of housing and further displacement.

69. According to experts, the very "concentration of resources, assets and services in cities can lead to more debilitating impacts of disasters, conflict and violence".[48] This has drawn the attention of the humanitarian community and urban specialists to the particular impact on urban settings of climate change, with a focus on the increasing urban vulnerability gap, housing challenges and the need to move away from only focusing on humanitarian response and develop disaster prevention strategies specific to urban settings.[49]

Reducing the displacement effect of climate change mitigation measures

70. Measures to mitigate climate change, such as investments in clean technologies (e.g. hydropower, wind power), agro-fuel production, forest conservation projects or the restoration of marshlands, are also predicted to cause significant levels of internal displacement.

71. The international community has acknowledged that measures responding to the effects of climate change are likely to have adverse economic and social consequences for some, and that support, including financing, technology and capacity-building, will be necessary in order to minimize these impacts and "build up the resilience of societies and economies negatively affected by response measures".[50] However, safeguards to prevent or minimize displacement resulting from measures which aim to mitigate climate change — and which in many cases affect indigenous and minority groups — continue to be weak.

72. Agro-fuel production and programmes to preserve forest cover, which have at times been found to impinge on the rights of indigenous peoples in relation to their traditional lands and culture, are examples of how some climate change mitigation

[46] Ibid., p. 8.
[47] Ibid., p. 3.
[48] Ibid., p. 2.
[49] Ibid. The need to strengthen humanitarian responses to emergencies in urban centres has also been recognized by the Inter-Agency Standing Committee, which addresses this issue through its reference group on meeting humanitarian challenges in urban areas. See *IASC Strategy: Meeting Humanitarian Challenges in Urban Areas*, 2010.
[50] See FCCC/CP/2010/7/Add.1, decision 1/CP.16, para. 89; see also Kyoto Protocol, arts. 2, para. 3 and 3, para. 14.

measures can have adverse consequences and lead to forced displacement.[51] Guidelines developed to date by development actors in the context of large-scale development projects, including some which promote clean energy such as hydroelectric dams, have been criticized as well for failing to minimize displacement and sufficiently apply human rights standards.[52]

73. Guiding Principles 6(c) and 7(1)(3) provide for specific standards and criteria that must be met when displacement is envisaged in a non-emergency context, such as with regard to the mitigation measures mentioned above and large-scale development projects. In the context of mitigation measures to address climate change, it will be important to assess the potential displacement likely to result from such measures and to strengthen guidelines, applying the standards in the Guiding Principles and a human rights-based approach.

Durable solutions to displacement in the context of climate change

74. Given the predicted extent of displacement provoked by the effects of climate change, adaptation strategies will require measures not only to alleviate the immediate humanitarian consequences and suffering, but also to end situations of displacement through durable solutions. While moving or fleeing to a safer location may provide temporary relief, it is well established that prolonged displacement situations exacerbate existing vulnerabilities, create dependency, lead to social tensions, and generally lead to a number of serious protection, humanitarian and human rights challenges.

75. In many instances, internally displaced persons may live in compact settlements or camps, which present a number of further concerns, including concerns for personal safety, and in particular sexual and gender-based violence; the pull factor related to the provision of assistance in the camps; and the fact that camps may sustain a humanitarian assistance situation for too long at the expense of early recovery and durable solutions. As levels of displacement rise in the context of climate change, the urgency of finding long-lasting solutions for affected populations and avoiding the precariousness, marginalization and instability associated with situations of protracted displacement, will become a national, and potentially regional, security imperative.

76. In order to be successful, adaptation measures addressing internal displacement must provide durable solutions strategies in the form of return, local integration or resettlement in another part of the country. However, in the context of climate change, durable solutions are likely to be more complex and less static or one-dimensional. They may combine a number of solutions, including movements which are seasonal or temporary, or solutions which include continuity with the place of origin as well as integration in a different part of the country (for example, part of the family returns to the place of origin permanently or on a seasonal basis, while the breadwinner works in another location). Strategies addressing internal displacement should therefore be sufficiently flexible to include and support various scenarios of human adaptation, and ensure that durable solutions are based on free and informed consent.

[51] A/HRC/10/61, paras. 66-68; E/C.19/2008/13, para. 45. Programmes to preserve forest cover have also at times prevented displacement by involving local communities closely in the project and by shielding them from agro-industrial projects.

[52] See A/64/255, para. 47 with regard to large dam projects.

77. Standards and guidelines related to durable solutions are provided in the Guiding Principles 28 to 30 and the Framework for Durable Solutions. The latter provides that durable solutions can be considered to have been achieved "when internally displaced persons no longer have specific assistance and protection needs that are linked to their displacement and such persons can enjoy their human rights without discrimination resulting from their displacement (A/HRC/13/21/Add.4, para. 8)".

78. A number of factors are conducive to durable solutions. One such factor is ensuring a transition early on from the humanitarian assistance phase to early recovery and reconstruction, thus allowing internally displaced persons to return to their places of origin and rebuild their lives as early as possible after a disaster. The importance of ensuring that humanitarian assistance and development are mutually reinforcing from the beginning of an emergency is recognized in the guiding principles on humanitarian assistance annexed to General Assembly resolution 46/182. Yet, aligning humanitarian assistance and the longer-term objectives of recovery and development has been difficult in practice, as the various actors apply different criteria and considerations to their areas of activity. The difficulties are compounded in situations where national Governments do not have a clear long-term strategy. Predicted increases in the frequency and intensity of sudden-onset disasters, however, make it imperative to improve the capacity of local, national and international actors to bridge the gap between objectives linked to the humanitarian and the recovery and reconstruction phases.

79. Other factors conducive to durable solutions include re-establishing local economies and livelihoods, encouraging self-reliance in affected communities and promoting their participation in all activities, from humanitarian assistance delivery to engagement with development actors. In the case of resettlement or relocation, strategies related to land, housing and livelihoods are essential, as is a community-based approach which takes account of the needs of receiving communities. Increased internal displacement will also require mechanisms to address possible integration challenges and tensions with receiving communities.

80. Durable solutions for displaced populations should be part of national adaptation plans,[53] and local and national capacity-building programmes, and be supported by funds made available for adaptation measures. They should also be part of national development plans. Some effects of climate change, however, may affect the types of durable solutions accessible to affected populations. In the case of certain types of slow-onset disasters, for example, return may not be a viable alternative for the foreseeable future. This highlights the need to explore various possible options early on and integrate them within national development and adaptation plans, in order to minimize the social and humanitarian consequences of spontaneous and large-scale internal displacement. In extreme situations, such as the case of some low-lying island States, where conditions are no longer fit for human habitation, durable solutions may also have to be explored through regional and international cooperative efforts, which may pave the way for new standards and options, including cross-border displacements.

[53] See references to modalities and support with regard to development of national adaptation plans in FCCC/CP/2010/7/Add.1, decision 1/CP.16, paras. 14 (a), 15 and 16.

H. Participation and procedural rights of affected persons

81. Procedural rights of affected persons have a critical place in the context of climate change-induced displacement. They help ensure respect for human rights and a more effective response to specific vulnerabilities, and promote the empowerment of affected persons as well as the full use of their capacities. Indeed, individual and community resilience will largely depend on the extent to which internally displaced persons are empowered to adapt to change and included in decisions affecting their lives. Procedural rights include, inter alia, access to information; consultation and effective participation in decision-making processes; and access to effective remedies.

82. It is important to ensure that procedural and accountability mechanisms are in place to guarantee participation of affected populations at all stages of displacement.[54] Guiding Principles 7, 28 and 30 provide for specific procedural rights of internally displaced persons in relation to prevention of displacement as well as guarantees of their participation in relocation and durable solution processes. Host and receiving communities should also feature in many of these participatory and consultation processes.[55]

83. The Cancun Adaptation Framework recognizes the need to support adaptation measures which are "country driven, gender sensitive, participatory and fully transparent [...] taking into consideration vulnerable groups [and] communities" (FCCC/CP/2010/7/Add.1, decision 1/CP.16, para. 12). It further recognizes the need for measures to enhance understanding and cooperation with regard to climate change-induced displacement and planned relocation and the need to undertake impact vulnerability and adaptation assessments, including on the social and economic consequences of climate change adaptation options and response measures (paras. 14 (b) and (f) and preamble to section III.E). While complementary, the Guiding Principles and the Framework for Durable Solutions provide more specific and detailed guidance on standards related to participatory and procedural rights of internally displaced persons.

I. International cooperation frameworks

84. The State has the primary responsibility to protect and assist persons displaced within its borders. At the same time, in the context of climate change-induced displacement and the disproportionate burden imposed on poor regions and countries, shared international responsibility has also been acknowledged. Where State capacities and resources are insufficient, international cooperation and partnerships should help support the cost of adaptation measures. This is consistent with human rights standards and principles (A/HRC/10/61, para. 87) and recognized in the Cancun Adaptation Framework, which invites Parties to enhance action on adaptation, taking into account their common but differentiated responsibilities and

[54] See General Assembly resolution 64/162, para. 7; A/HRC/16/43/Add.5, pp. 11, 14-15, 26 and 33.

[55] Host communities refer to communities to which internally displaced persons have been spontaneously fled, whereas receiving communities refer to communities in which the displaced have, in an intentional or planned fashion, resettled or been relocated.

capacities as well as their priorities and circumstances (FCCC/CP/2010/7/Add.1, decision 1/CP.16, para. 14).

85. More specifically, the Cancun Adaptation Framework recognizes, in paragraph 14 (f), the need for national, regional and international cooperation with regard to adaptation strategies to address displacement issues, migration and relocation — cooperation which can present opportunities for agreements and new standards to facilitate and support the movement of peoples, including outside their national borders when that is necessary.

86. Climate change has served to crystallize the impact of actions by individual States which go beyond the State to affect the rights of people and communities around the globe. Climate change knows no State or generational boundaries. Effective systems of international cooperation and responsible domestic governance are thus required to address it in line with human rights obligations and to support adaptation strategies to deal with the various human rights challenges, such as displacement, that it presents to the international community as a whole.

IV. Recommendations

A human rights-based approach

87. **A human rights-based approach should be used to inform and strengthen all actions, at the local, regional, national and international levels, to address climate change-related internal displacement. The Guiding Principles on Internal Displacement, which are based on standards in international human rights law, humanitarian law and, by analogy, refugee law, provide a sound legal framework which States should implement at the national level through legislation, policies and institutions.**

Adaptation and mitigation measures

88. **Adaptation measures to address climate change-induced displacement should be comprehensive in nature, so as to encompass disaster risk reduction and management; proactive strategies to prevent or minimize displacement; planned relocations, when appropriate; pre-emptive internal migration when this is based on sound national policies and used as a coping mechanism in the case of slow-onset disasters; and durable solutions. Such measures must be in line with international human rights obligations, and include the provision of humanitarian assistance and protection to affected persons during the displacement phase.**

89. **The various climate change adaptation funds should incorporate support for adaptation measures related to climate change-induced internal displacement. They should support the efforts of national Governments in this regard as well as community engagement. Financing mechanisms should adopt a comprehensive approach to displacement-related adaptation measures, running the gamut from prevention to durable solutions as detailed above, and uphold safeguards with regard to forced displacements and planned relocations. Such mechanisms should keep abreast of relevant research and be consistent with normative developments in this field.**

90. Disaster risk reduction and disaster preparedness measures should be enhanced in order to prevent or minimize the displacement of persons. This is particularly necessary in light of the more frequent and severe sudden-onset disasters, as well as the dire humanitarian consequences of slow-onset disasters such as droughts, both of which are due to the negative effects of climate change. National disaster management systems, laws and policies should incorporate a human rights-based approach, stress local or community capacity-building and participation and refer to applicable standards on internal displacement in the event displacement cannot be avoided. Disaster management measures should be included in national development plans and climate change adaptation strategies.

91. Mechanisms to promote the engagement and participation and to strengthen the capacities of local governments, communities, civil society and the private sector should be enhanced and supported. Their role is instrumental to effectively address the challenges related to climate change. Community participation should involve those who are most vulnerable.

92. The Special Rapporteur welcomes the climate change mitigation targets set by the United Nations Framework Convention on Climate Change process and encourages additional efforts in this regard, as mitigation of the effects of climate change will also reduce the numbers of people internally displaced as a result of climate change.

Knowledge, guidance and information

93. Measures to enhance knowledge in the area of climate change-related displacement are necessary and should be taken as soon as possible, in accordance with the recommendation of the Cancun Adaptation Framework (FCCC/CP/2010/7/Add.1, decision 1/CP.16). This should include research on the scope and scale of such displacement, which should be based on consultations with affected communities and inter-agency and interdisciplinary efforts.

94. Particular efforts are required to understand and respond better to situations of slow-onset disaster related to climate change, so as to avoid or minimize related human suffering and displacement.

95. Research is encouraged on the potential displacement of persons through climate change mitigation and adaptation projects, such as those promoting clean energy. Such research should explore the scope and nature of such displacements, as well as further actions which may be necessary to ensure the human rights of those displaced by such projects, in line with the Guiding Principles on Internal Displacement and other applicable human rights standards and guidelines.

96. Further guidance should be developed with regard to situations where relocation of populations is deemed necessary owing to the effects of climate change. Such guidance should be based on lessons learned and ensure that the rights of persons who must be relocated are guaranteed. In particular, issues of compensation, property rights, procedural rights, community and cultural identity, livelihoods and support to receiving communities should be addressed.

97. Global monitoring mechanisms for internal displacement should be strengthened with a view to encompassing both sudden- and slow-onset

disasters related to climate change, and help determine the overall scope of displacement that is connected to the phenomenon of climate change.

98. **The urban dimension of climate change-related displacement should be further researched and operational responses enhanced, so as to address the distinctive nature of urban vulnerabilities and capacities and the potential increase and impact of unplanned urban migration resulting from increased slow- and sudden-onset disasters.**

99. **Specific guidance should be developed for Member States on how to ensure that displacement is taken into account in the climate change debate, on the normative standards and guidance documents available and on the human rights implications and broader dynamics of climate change-induced displacement, such as its impact on security and urban migration.**

Cooperation and assistance

100. **Increased international support is needed to strengthen local and national capacities and legal frameworks and policies to address displacement resulting from the effects of climate change. This cooperation and assistance, and the full implementation of paragraph 14 (f) of the Cancun Adaptation Framework, will be essential to support States in taking all necessary steps to respect, protect and fulfil the rights of affected persons in accordance with their international human rights obligations.**

101. **In order to achieve concrete results and establish stronger operational and accountability structures, greater focus must now be placed on policy and programme implementation at the regional, national and subnational levels. This requires enhancing actions and advocacy in regional and national level forums on specific adaptations measures to address climate change-related displacement, both internal and regional.**

102. **The role of the Inter-agency Standing Committee in addressing and advocating on general humanitarian concerns as well as displacement-specific issues related to climate change is key and should be strengthened, including through the work of its task force on climate change, its participation in key global policy forums such as the United Nations Framework Convention on Climate Change, and technical inputs at the regional, national and subnational levels to build resilience and scale up practical climate change activities and adaptation measures.**